

Canada. Banking and Commerce,
Committee on, 1873

STATEMENTS AND EVIDENCE

SUBMITTED BY

THE HON. P. MITCHELL

MINISTER OF MARINE AND FISHERIES,

Before the Parliamentary Committee

ON BANKING AND COMMERCE,

ON THE 18th DAY OF APRIL, 1873,

IN RELATION TO A BILL ENTITLED

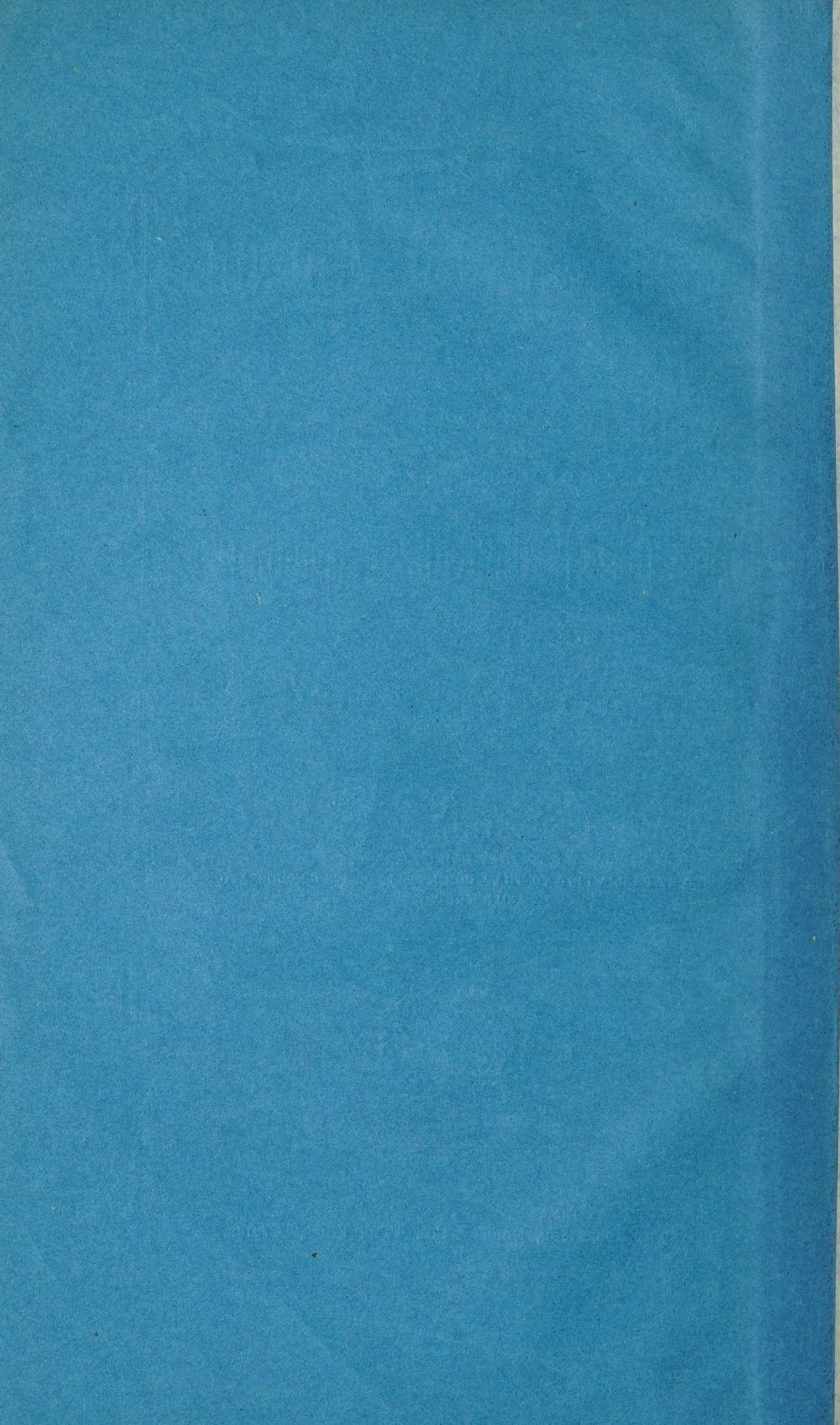
"AN ACT RESPECTING DECK LOADS,"

REFERRED BY PARLIAMENT TO THAT COMMITTEE FOR ITS CONSIDERATION
AND REPORT.



OTTAWA:
PRINTED BY ROBERTSON, ROGER & Co., "THE TIMES," OFFICE.

1873.



Canada. Banking and Commerce, CA1
in Cttee on, 1873

XC 13

-X3872

STATEMENTS AND EVIDENCE

SUBMITTED BY

THE HON. P. MITCHELL

MINISTER OF MARINE AND FISHERIES,

Before the Parliamentary Committee

ON BANKING AND COMMERCE,

ON THE 18th DAY OF APRIL, 1873,

IN RELATION TO A BILL ENTITLED

"AN ACT RESPECTING DECK LOADS,"

REFERRED BY PARLIAMENT TO THAT COMMITTEE FOR ITS CONSIDERATION
AND REPORT.



166093
15/10/21

OTTAWA:
PRINTED BY ROBERTSON, ROGER & Co., "THE TIMES," OFFICE.
1873.



STATEMENTS AND EVIDENCE

Submitted by the Hon. P. Mitchell, Minister of Marine and Fisheries before the Parliamentary Committee on Banking and Commerce, on the 18th day of April, 1873, in relation to a Bill entitled "An Act respecting Deck loads," referred by Parliament to that Committee for its consideration and Report.

Mr. Chairman, the Bill which has been referred to you by Parliament, and which you have now under consideration, is one of vital importance to the character and reputation of our country. It is a bill of such a nature that, while, I freely admit that it places some restriction upon trade, it will at the same time give additional security to life and property ; and so intimately is the matter connected with the trade of our country that Parliament has been asked to consider the question and pass a measure of the nature of that now under the consideration of the Committee.

I feel, that in submitting this bill, I may, in some measure, affect a trade in which, above all other portions of the Dominion, my own Province is most concerned, and one in which, from its extent and character, the mercantile community of the leading Commercial City of the Maritime Provinces is most deeply interested. I feel also that the opposition which was given to this measure, by the able

gentleman representing the City of St. John, upon this most important question, when it was introduced into Parliament, demands from me the fullest explanation, and that the position I have assumed in advocating the measure ought to be sustained by evidence and proof satisfactory to the minds of this Committee.

This Bill may be considered as dealing with two distinct trades. The first part of it with the transatlantic wood trade, and the second with the West India wood trade; and the provisions which I have thought it desirable to submit, in dealing with these two trades, differ to some extent.

Previous to the year 1840 many representations had been made to the British Government that owing to the large Deck loads of timber, carried from the North American Colonies to the United Kingdom during the winter months, great suffering and loss of life had been occasioned amongst the crews of ships laden with timber and wood; and an enquiry was instituted by the British Government as to the truth of these representations.

A number of persons connected with the Trade of British North America were examined on the subject, and the result of the enquiry was that a Bill, entitled an Act for regulating the carriage of cargoes of timber for one year, was introduced into the Imperial Parliament and became law, 5th and 6th Vic., Cap. 17.

In the commencement of that Bill it is recited that "great loss of life, and severe sufferings have been occasioned among the crews of ships and vessels laden with timber and wooden goods from the Ports of British North America, from the practice of having a portion of the cargo of such ships stowed on or above Deck"; and the Bill then proceeds to interdict the carriage of such Deck loads, so that it would appear that it was not for the purpose

of protecting property that the Bill was passed, but entirely for the purpose of protecting life and saving the crews of such ships from suffering.

These provisions were continued by the Imperial Act 8th and 9th Victoria, Cap. 45, and were repealed by Cap. 84, but again re-enacted by Cap. 93, of the same session. They were again embodied in the Imperial Act 16th and 17th Victoria, Cap. 107, and continued in force until the 29th July, 1862, so that the provisions of the Deck load Law were in operation about twenty years, and were generally admitted by seafaring men, to have been productive of much benefit, and to have greatly reduced the fatal casualties of the sea.

By this law all Vessels clearing from any ports in British North America, for ports in the United Kingdom, were absolutely prohibited from carrying any cargo on deck, after the 1st September and before the 1st May, leaving only four months in which vessels were allowed to carry deck loads.

The Law allowed, however, the carriage on deck, of spare spars or other articles necessary for the ship's use, and the Commissioners of Customs gave instructions to their officers to interpret this permission to mean a duplicate of every spar in the ship, except the lower masts and bowsprit, and that such spars might be taken in the rough. The consequence was that a full-rigged ship generally carried forty-two rough spars, some of them of large size, suitable for main yards when dressed down, and some of them of dimensions fit to make smaller yards and top-masts. A barque could take thirty-six spars, and a full-rigged brig about twenty-six. This was, no doubt, an abuse of the law, and was never contemplated by the original framers of it. They intended that spars, which might be needed to meet contingencies or accidents to the vessel, should be carried, not that comparatively an unlimited number for

purposes of trade and of any size should be taken, as was done in many cases, by those who desired to evade the law.

The practical working of the permission to carry spare spars resulted in an evasion of the Law, and the deck cargoes of spars usually carried by vessels in the winter time, amounted to a pretty heavy deck-load, and of a very dangerous description, as the spars were generally rough and wet out of the ponds, very heavy and very long, and in the event of the vessel getting on her beam ends, they were generally more dangerous than deals, as in a very short time they would tear to pieces the rigging and top work on deck.

In the year 1861, when the differential duties between British and Colonial timber and deals were repealed, the owners of vessels clearing with cargoes of deals from St. John, New Brunswick, soon found out that a British Colonial clearance was of no value to the vessels, as, on their arrival in the United Kingdom, it made no difference as regarded the cargo, whether it was a British, Colonial or Foreign production, and in order to avoid the Deck-load Law, shippers from the Bay of Fundy, in many cases, loaded their vessels with deck-loads after the 1st September and proceeded to Eastport in the State of Maine, entered their vessels there and took a clearance for the United Kingdom, as there was no Law in the United States to prevent them carrying deck-loads. This evasion of the Law could not be practiced in the St. Lawrence, but was confined entirely to Bay of Fundy Ports. The subject was brought under the notice of the British Government by the controller at St. John, and on being asked what he would recommend in lieu of the Deck Load Law, as it then stood, he consulted many ship-masters, ship-owners, and the members of the Chamber of Commerce of St. John, and found that all interests would be satisfied with permission to

carry, during the winter months, a deck-load of deals or sawn lumber (but no timber or rough spars) to the extent of three feet in height, and if permitted to do this they would not go to a Foreign Port for a clearance. As this deck-load would not be of that excessive character which would imperil the safety of the ship or the lives of the crew, it was recommended for adoption. I believe a measure of this kind was proposed by the British Government, and circulated amongst the ship-owners of the United Kingdom, but as many of them were of opinion that it was a question which should be left between the underwriters and ship-owners, the Bill was not introduced into the House of Commons, and on the 29th July, 1862, an Act to amend the Merchant Shipping Act 55, and the Customs Consolidation Act, 53, was passed by the Imperial Parliament, and in a Schedule of that Act, the sections relating to deck-loads (viz 25 and 26 Victoria Cap., 63, sections 170, 171 and 172 of 16 and 17 Victoria Cap., 107) were simply repealed and nothing was submitted in their places. This, in my opinion, resulted mainly from a feeling which had grown up among the shipping interests of the United Kingdom and British America, that the old Law was too restrictive and prohibitory, and, as frequently happens, the other extreme, the withdrawal of all restriction, was adopted.

Since that period vessels carrying cargoes of timber and deals, have as a general rule, carried heavy deck-loads, and it appears that serious losses have annually occurred.

In a paper on the subject of deck-loads, read before the Dominion Board of Trade in January last, by its able President, Mr. Henry Fry, it is stated that forty-nine sailing vessels, bound from the St. Lawrence to the United Kingdom were lost on the voyage, forty-two of which were laden with wood, six with grain and flour, and one with fish, and he believed that fully three fourths of all the losses of

wood-laden ships in the North Atlantic, in the Fall of the year, might be traced directly or indirectly to the practice of carrying deck-loads.

He stated that most of the Quebec ships which reached Great Britain last fall, were those which either took no deck-loads, or lost the whole or part of them by throwing them overboard when the ship began to labor or get into trouble.

Of the forty-two timber-laden vessels which were wrecked, he stated that only one left the St. Lawrence without a deck-load, and that thirty-five of them were waterlogged in the Atlantic and abandoned.

With the permission of the Committee I will read Mr. Fry's very able paper.

DECK LOADS.

A paper read before the Dominion Board of Trade at Ottawa, January, 1873, by Henry Fry.

“ When I state that during the season of 1872
 “ no less than 62 large sailing ships and 9 iron steam
 “ ships, all engaged in the lumber and grain trades
 “ between the St. Lawrence and great Britain, have
 “ been totally lost; that the value of these vessels,
 “ their cargoes and freights amounts to over four
 “ millions of dollars, and above all, that over 250
 “ valuable lives have been sacrificed, I have said
 “ enough to prove that the subject is one demanding
 “ the careful attention of this Board and of the Gov-
 “ ernment of the Dominion. Can the loss of any of
 “ these ships be traced to preventible causes, and
 “ can anything be done by legislation or otherwise
 “ to prevent such a lamentable sacrifice of life and
 “ property in the future? These are the two ques-
 “ tions I propose briefly to discuss in this paper.
 “ It is somewhat remarkable that of the 62 sailing
 “ ships only 13 were wrecked on their outward voy-

“ age, no less than 46 being homeward-bound ; whilst
 “ of the 9 steamships 2 were outward-bound and 7
 “ homeward. I dismiss the outward-bound ships at
 “ once, most of them having been lost by lee or fog,
 “ and turn to the homeward-bound ships, over which
 “ our Government can alone exercise control. Of
 “ the 49 sailing ships, 42 were laden with wood, 6
 “ with grain and flour, and one with fish. Primarily,
 “ of course, the terrific gales of 8th, 18th, and 28th
 “ November will account for the loss of the greater
 “ portion of those homeward-bound ships, and for the
 “ disproportion between the loss of ships on the out-
 “ ward passage as compared with the homeward ;
 “ but a close acquaintance with the North Ameri-
 “ can trade for the past thirty years has convinced
 “ me that *fully three-fourths of all the losses of wood*
 “ *laden ships in the North Atlantic in the fall of the*
 “ *year, may be traced directly or indirectly to the prac-*
 “ *tice of carrying deck-loads*, and the facts I have been
 “ able to collect with reference to recent losses con-
 “ firm me in this opinion. Most of the Quebec ships
 “ that reached Great Britain last fall were those which
 “ either wisely took no deck-loads, or lost their deck-
 “ loads, either in part or the whole, by throwing
 “ them overboard when the ship began to leak, or
 “ allowing them to be washed overboard ; whilst of
 “ the 42 wrecked ships, so far as I have been able to
 “ ascertain the facts, *only one left the St. Lawrence*
 “ *with a deck-load*, and thirty-five were abandoned in
 “ the Atlantic waterlogged. The harrowing details
 “ of these wrecks conclusively show how much deck-
 “ loads contributed to the loss, and the various ways
 “ in which they bring about the destruction of ships
 “ and their crews. Most of the ships engaged in
 “ this trade are necessarily second-class ships, many
 “ of them having seen their best days, and some of
 “ them not too well found. They are too, peculiarly
 “ unfitted for deck-loads from the fact that most old
 “ ships are weak in their upper works from decayed
 “ iron fastenings, and defective frames and beam

“ arms. As soon therefore as a ship begins to roll
 “ in a heavy sea, she strains and leaks, and the deck-
 “ load causes her waterways to open ; if the pumps
 “ are good *and the crew can stand at them* she may
 “ possibly escape ; but far more frequently when the
 “ pumps are most needed, they are least available ;
 “ a sea breaks on board ; the deck-load gets adrift,
 “ the sailors get their limbs broken or they are
 “ killed by loose logs in trying to get them over-
 “ board ; or the pumps are broken off at the deck by
 “ loose timber washed about, and thus rendered use-
 “ less ; the ship becomes waterlogged, provisions and
 “ fresh water are destroyed, and the unhappy crew
 “ take to the rigging or the tops, there, alas ! to
 “ freeze or perish, amid the horrors of starvation, cold
 “ and delirium. Impressed by these facts, the
 “ British Legislature, some 33 years ago, passed an
 “ act prohibiting all vessels clearing at ports in
 “ British North America for ports in the United
 “ Kingdom from carrying deck-loads after the 1st
 “ September or before the 1st May in each year. I
 “ venture to say that 99 out of every 100 seamen
 “ engaged in the trade hailed the act as a great boon,
 “ and that during its existence it saved the lives of
 “ thousands of British seamen. Most unfortunately,
 “ as I think, in 1862, by a simple clause in a “ Cus-
 “ toms Consolidation Act,” this beneficent law
 “ was summarily repealed, and to this day I have
 “ never heard any valid reasons given for
 “ its repeal. I know that the British Govern-
 “ ment have a theory that all such interference
 “ with trade, all inspection of ships, &c., is unwise,
 “ because it throws the responsibility off the
 “ shoulders of those who ought to bear it, and
 “ casts it upon the inspectors. and this is true with-
 “ in certain limits ; but I deny altogether that it is
 “ valid where human life is concerned. Mark how
 “ carefully the Government insist on the inspection
 “ of emigrant ships before they are allowed to sail,
 “ and of all steamships before they are permitted to

“ carry any passengers. In various ways all civil-
 “ zed governments seek to protect their subjects
 “ from the consequences of the wilful carelessness,
 “ neglect or greed of their employers. The only
 “ other reason I have ever heard given was that some
 “ American shipmasters had evaded the law by
 “ first clearing without a deck load at St. John, N.B.,
 “ and then taking one on board at Eastport,
 “ it being brought by lighters from St. John.
 “ This, however, could have been easily cured
 “ by a penalty imposed at the port of discharge. Ask
 “ any intelligent seaman what he thinks about deck
 “ loads, and he will reply—“ Ships are not built to
 “ carry deck loads, and it would be a good thing if
 “ they were prohibited by law; but if So-and-So carries
 “ one, I must do so, or I shall probably lose my situa-
 “ tion.” But some of my commercial friends may say,
 “ ‘ This is not a matter that affects us; it is a matter
 “ for the English shipowners and underwriters to set-
 “ tle between themselves, and if you must have an
 “ ‘ Act of Parliament’ you should go to the Imperial
 “ Parliament for it.’ Now this is a very mistaken view
 “ of the matter. Who will pay these four millions of
 “ dollars lost in 1872? Not the underwriters ulti-
 “ mately, for in the average of years most of them
 “ make a profit out of the business and not a loss, and
 “ they are but a medium for collecting a tax from the
 “ fortunate for the benefit of the unfortunate; not the
 “ shipowners, for in many cases they are fully insured;
 “ no, the loss will be borne either by the producer or
 “ consumer of what we have to export, or what we
 “ require to import, in the shape of increased pre-
 “ miums of insurance or rates of freight. It is plain
 “ enough that if the value of Canadian wheat or Cana-
 “ dian lumber is regulated by its value in the markets
 “ of Great Britain, where they have to compete with
 “ the products of other countries, then whatever is
 “ paid in increased cost of insurance or freight must
 “ come out of the pockets of the producer; and thus
 “ every Canadian farmer and every Canadian lumber-

“er is interested in the question. Our fall premiums of
 “insurance do in fact kill a great deal of our fall busi-
 “ness, or render it unprofitable. Sir, I do not come
 “here to plead for either shipowners or underwriters ;
 “I have no great amount of sympathy with either ;
 “as they are able as a rule to take care of them-
 “selves, the former owe their losses to their
 “own cupidity, in very many instances, and, as
 “I said before, generally protect themselves by
 “insurance ; whilst the latter by a single line inserted
 “in their policies could prohibit deck loads altogether.
 “But I plead for this law in the name of humanity, in
 “the name of the thousands of poor sailors who every
 “year flock to our shores, and who are bound by a
 “rigid legal instrument to stick to their ships and do
 “their duty, though death stares them in the face ; and
 “who, once having “signed articles,” have no right
 “to object to any amount of deck load that may put a
 “few pounds in the shipowner’s pocket, although it
 “may, and often does, increase the sailor’s risk ten-
 “fold, unless it is prohibited by law. I plead for it
 “in the name of the hundreds, perhaps thousands
 “of widows and orphans who are deprived of their
 “natural supporters and cast upon the world in pov-
 “erty and wretchedness for lack of the protection
 “which every sailor has a right to expect in his peril-
 “ous calling. I trust this Committee will pass un-
 “animously the resolution I have had the honor to
 “propose, and that Parliament will during the pre-
 “sent session pass a bill to restrict within reasonable
 “limits the carrying of deck loads. It is necessary
 “that I should say a few words with reference to the
 “7 steamships which are believed to have been lost
 “last fall. One ran ashore in a fog ; another cap-
 “sized near Sydney, C. B., with the loss of 8 lives ;
 “a third capsized near St. Paul’s with the loss of
 “all her crew save one ; the other four have
 “never been heard of, but are believed to have
 “been lost in the same way, and that every soul
 “on board has perished. Neither of these seven

“ vessels belonged to our regular lines ; all were load-
 “ ed with grain in bulk, and all were very deeply
 “ laden. They were all boats of small power, but
 “ large carrying capacity. The grain being in bulk
 “ and loaded very rapidly by elevators, naturally
 “ shifted at sea, and with a heavy roll it would con-
 “ tinue to shift and re-shift and cause the ship to
 “ capsize. This I believe to be the cause of the
 “ loss of these vessels. Now, in relation to the St.
 “ Lawrence grain trade there is a Port Wardens’ Act
 “ for Montreal, where these ships were laden, con-
 “ taining provisions which have proved inefficient
 “ for the prevention of such catastrophes. The
 “ officer appointed to see them carried out reported
 “ the necessity for a change in the laws and the pas-
 “ sage of more restrictive measures. The penalty for
 “ evading the provisions of the existing act is forty
 “ dollars ! I believe I am correct in saying that
 “ all these vessels paid the fine, and refused to obey
 “ the Port Warden’s orders, with the result above
 “ stated. The act has been so amended as to provide
 “ that no grain-laden vessel shall be allowed to clear
 “ without producing to the collector a certificate
 “ from the port warden that the law has been com-
 “ plied with ; and in addition thereto the penalty has
 “ been so increased as to make it unprofitable to
 “ the shipowner to avoid the law. This class of
 “ vessels is likely to increase in number, and do a
 “ large share of the grain business of the St. Law-
 “ rence. It is therefore important that the Port
 “ Warden should have the necessary power to pro-
 “ tect the lives of the crews and passengers as well
 “ as the property of the shippers and the amendment
 “ to the existing law is a step in the right direction.”

In this paper Mr. Fry has dealt entirely with the
 transatlantic trade and has made recommendations
 very much of the same nature as those contained in
 the Bill originally passed by the British Parliament
 in the year 1840, and I must say that, while I agree
 in the main with the views entertained by Mr. Fry

in relation to the abuses of the trade and the necessity for some legislation, and while I appreciate and value the statements made by a gentleman at the head of the United Boards of Trade of Canada, and one who possesses such great experience as Mr. Fry does, I, nevertheless, feel that the extreme character of a measure which would prevent entirely the carrying of deckloads during the periods he has named, viz: between the first day of September and the first day of May, is so prohibitory in its character that it would create a feeling that the trade had been unnecessarily restricted.

I cannot agree with Mr. Fry that all deck loads are a positive evil and calculated to endanger shipping. On the contrary, I think that a moderate deck load, if composed of deals, which, as we know, are easily handled in case of difficulty, instead of endangering the vessel, may, in very many cases increase her sea-worthiness; and it is contended by many who have spent a life-time in the trade, that with a moderate deck load, such is the effect in nine cases out of ten. Much, however, will depend on the build of the vessel.

I was much struck with the remarks of my hon. friend, Mr. Coffin, the member for Shelburne, who has had an experience of 30 years as a ship master, and the frankness and fairness which he exhibits on all occasions gives weight to his testimony and value to his views. I quite agree with him, that in a great many cases, if not in all, a moderate deck load, so far from injuring a ship, has a tendency rather to make her more sea-worthy than otherwise. Hon. gentlemen admitted the force of his illustration when it was discussed in Parliament, and I have chosen to adopt the moderate views which he has taken—views acquiesced in by those who have had practical experience in the trade, of permitting a moderate deck load, rather than the extreme view recommended by Mr. Fry in his able paper, and

for that reason I have proposed in the Bill, that from the first day of October until the 16th day of March, deck loads might be carried to a height of 3 feet on transatlantic voyages ; you will perceive that this shortens the time of prohibition. It may be asked why this was done. My answer is that from the best information I could gather from sea-faring men, ship owners, shippers and others (and this experience should command the attention of public men) the limitation named in the Bill is not an unreasonable one, that the passage of the Act is a desirable measure, and considering, as I think we ought to do, the manner in which it may effect the great staple trade of our country, as well as the promotion of greater security to life and property, I think the limitation is one more likely to attain all the objects to which I have alluded, than if the measure were more prohibitory.

No restriction has hitherto been placed upon vessels carrying deck load cargoes to the West Indies, although for some years past the practice has been adopted of carrying very heavy deck loads from St. John and other ports in the Lower Provinces. During the winter months the deck loads of lumber, or wet sugar-box shooks, which were carried to the West Indies from ports in New Brunswick and Nova Scotia, were frequently piled several feet above the rail, and it became very dangerous for men to walk on them, and extremely difficult to manage the vessels, more particularly if they became iced, as they generally do in our severe winter weather, and in consequence many vessels have been lost and many lives sacrificed.

In April, last year, the British Consul General at Havannah brought the subject under the notice of the British Government, and stated that many vessels coming from North American ports, especially from St. John, N.B., were overloaded, and consequently both ship and cargo ran extraordinary risks, and the lives of those on board were endan-

gered, and he recommended that such vessels should undergo some kind of inspection, and that there should be some stringent regulation on the subject of deck loads generally. This letter was referred, by the British Government, to the Government of Canada, for their consideration.

I will, therefore, now proceed to review the second branch of the Bill which may effect the trade with the West Indies, and I may state at the outset that I have not included in this, for reasons hereafter to be named, the trade between Canada and the United States, which may be considered more in the light of a coasting trade. The trade of our country with the West Indies is mainly carried on from the Southern shores of New Brunswick and Nova Scotia, and especially during those portions of the year when the navigation of the St. Lawrence is closed. The trade from the markets of the St. Lawrence and other portions of the Province of Quebec with the West Indies is comparatively limited in its character, and from climatic reasons, is confined to the six or eight weeks before the closing of navigation. Therefore the conditions of this portion of the Bill are of secondary importance to the people of Old Canada, hence the total absence in Mr. Fry's paper of any reference to that trade.

The trade from the ports in the Bay of Fundy which mainly centres in the leading port of St. John, is principally carried on in a class of vessels differing considerably from those in which the transatlantic trade of the St. Lawrence is done, and from the return which I hold in my hand, and which, with the permission of the committee, I will read, it will be seen that the average height of the deck-loads, which are carried to the West Indies is about $5\frac{1}{2}$ feet, but they vary very much, rising as high as nine feet and going down to two and three feet, and in some cases to none at all.

DECK LOADS—FEBRUARY, 1873.

Rig.	Name.	Reg. Tons.	Port of Registry.	Nature of Cargo.	Where bound.	Deck Load.
Schooner.....	Active.....	131	St. John, N. B.....	Boards.....	To Matanzas, Cuba.....	1
Do	J. W. Scott.....	109	Do	Do	To Providence, U. S.....	4½
Brig	John Good.....	333	Digby, N. S.....	Sugar Shooks.....	To Cuba, about 12 tier.....	8
	Nellie Scott.....	296	Eastport, Me.....	Pine Boards & Shooks.....		5½
Schooner.....	George Calhoun.....	109	St. John, N. B.....	Boards & empty oil brls. highest cargo took was 8 feet.....		
Do	Lizzie Dewey.....	374	Lubec, Me.....	Shooks.....	To Portland, Me., about.....	6
Do	W. E. Heard.....	587	Yarmouth, N. S.....	Do	To Cuba.....	3
Bark	Angola.....	122	Parrsboro, N. S.....	Do	Do	3½
Brigantine.....	Roswell.....	141	Eastport, Me.....	Do	Do	1½
Schooner.....	Harold.....	882	Halifax, N. S.....	Deals.....	To Liverpool, tiercer.....	5
Bark	Vestr.....	132	St. John, N. B.....	Boards.....	To Cuba.....	3
Schooner.....	Mary E. Thompson.....	171	Boston, Mass.....	Do	Do	5½
Do						7
						5½
						5 3-11

DECK LOADS—FEBRUARY, 1873—Continued.

Rig.	Name.	Reg. Tons.	Port of Registry.	Nature of Cargo.	Where Bound.	Feet.
Barque.....	John G. Hall.....	326	Digby, N. S.....	Shooks.....	To Cuba, 14 tiers.....	6½
Brigantine..	Chimborazo.....	181	Boston, U. S.....	Shooks and Boards.....	To Cuba.....	5½
Barque.....	Delta.....	445	Norway.....	Deals, &c.,.....	To Great Britain.....	3
Schooner....	Ida J.....	93	St. John, N. B.....	Boards, &c.,.....	To Boston, U. S.....	5½
Brigantine..	Lulu.....	299	do.....	Shooks and Boards.....	To Cuba.....	6
Brigantine..	Magdala.....	205	do.....	do.....	To Cuba.....	5½
Schooner....	Ada Louisa.....	76	do.....	Boards.....	To Pawtucket.....	8
Schooner....	R. A Ford.....	114	do.....	Boards.....	Providence, R.I., this ves- sel, master says, has taken 10 feet.....	7
Schooner....	Bessie Black.....	207	St. John, N. B.....	Boards.....	To Cuba.....	7
Schooner....	Irving.....	106	United States.....	Shooks.....	To Cuba, 13 tiers.....	6
Schooner....	S. B. Hume.....	335	do.....	Boards.....	To Cuba.....	5
Ship.....	Parkfield.....	1389	St. John, N. B., Pass. Yarmouth, N. S.....	Timber and Deals.....	To Liverpool.....	5
Barque.....	Colorado.....	682	Yarmouth, N. S.....	Deals.....	To Dublin.....	5
Barque.....	Sirian Star.....	610	Yarmouth, N. S.....	Deals.....	To Londonderry.....	4½
Schooner....	Lizzie Irwin.....	171	St. John, N. B.....	Shooks.....	To Matanzas, Cuba, 13 tiers.....	6
Barque.....	Abbie Thomas.....	590	Nova Scotia.....	Deals.....	To Great Britain.....	4½
Schooner....	Arcilla.....	136	St. John, N. B.....	Shooks.....	To Portland, Me., 13 tiers.....	6
Schooner....	George V. Richards.....	104	St. John, N. B.....	Boards.....	To Cuba.....	6
Schooner....	Anne Currier.....		St. John, N. B.....	Boards.....	To Boston.....	7

In measuring *carefully* I find that 7 tiers of box Shooks, gives 3 feet 2 inches in height.
Most of the Coasters would prefer to have their Deck Load (if they carried any) to reach above the Rail, as any space on the Deck would hold water or ice if in the Winter.

Customs, St. John, N. B.,
28th February, 1873.

J. BAKER,

5 1-2

By the return it will also be seen that this great variation in the height of the deck-loads does not depend upon their ships, as we find that a ship of 125 tons carries, in many cases, more deck-load than one of 300 tons, the one being less than half the size of the other, and to this trade I propose to apply the prohibition in relation to deck-loads, commencing on the 15th November and ending on the 16th March. I do not propose to restrict it in any way between these dates. I propose by the Bill that vessels in this trade be allowed to carry deck-loads during the period of restriction to the height of not more than six inches above the main rail. Under the original Bill, it was limited to the main rail, but at the suggestion of gentlemen practically acquainted with the trade, I have consented to the additional six inches, as I am informed it tends to secure the lashings and gives additional security to the cargo, and further, no deck-load is to be more than 4 feet 6 inches above the main deck.

When I look at the returns which I hold in my hand, showing what are the deck-loads usually carried, I own I think the measure which I have submitted should not be looked upon as restrictive, but one most liberal in its character. I regret, however, that the representatives to whom I have referred from that section of the country which most extensively carries on this trade, fail to view the matter as I do and under instructions no doubt from some of the leading gentlemen in this trade are opposing the Bill now before the committee.

It will be asked, and indeed has been asked in another place by gentlemen opposed to this Bill, why it is that I have not dealt with the deck-load business from the Bay of Fundy to the United States, I may state in reply that while I am not prepared to say that it ought not to be dealt with, my desire was mainly to get a Bill passed which would strike at the great abuses in the trade, and I knew from the impor-

tant interests involved in the coasting trade with the United States, it would simply add more opposition to the passage of the measure than that already created. And again, I felt that there was a very great difference between the dangers to be avoided in the two classes of trade; that to the West Indies was a long voyage—an open sea voyage—and one in which they could not do as they can in the coasting trade to the United States, viz:—make harbor any time within two or three hours. Therefore I concluded that, as the statistics which I have been enabled to gather did not show a very large percentage of loss of life in the American trade, and as the facilities—perhaps the best in the world—for running into harbor along that coast are so great, I did not desire either to create unnecessary obstructions or to cause further opposition to the passage of this Bill than that which already exists, and which I admit, is of great weight and importance. It will be observed that the present Bill limits the power of unscrupulous men, and affects the profits they can make at the sacrifice of human life, but does not interfere with the honest shipowner, inasmuch as the four and one half feet allowed in the West India trade is more than a fair average of the Deck Loads which, without any legal restriction, conscientious shipowners even now permit, and that the business of the fair Trader will be but little affected by it; and besides, there is something in the position assumed by the Council of the Board of Trade of St. John, viz.: that until the American Government legislate in a similar way, it would be unwise to place our own people at a great disadvantage in pursuing that trade. It may be alleged that the same argument will apply to the West India business. My answer to that is that in that trade I have actual statistics, amounting to positive proofs, of the enormous loss of life resulting from excessive deck-loads, while in the other, though accidents occur and danger exist, the fatal casualties have been much less frequent. The

remedy I propose upon the latter point in connection with our Trade with the United States, is that the attention of the British Government should be called to this state of the question, and that they should be asked by the Government of Canada to bring the action of our own Parliament under the notice of the American Government and invite legislation in the direction which this Bill proposes, with the view of also restricting and regulating deck-loads in relation to the existing Trade. And I do not doubt that when so enlightened a people as the Americans are, see the necessity of adopting some, if not exactly the same, remedy that we have proposed, they will take such measures as seem to them just and right to protect life and property, without materially affecting the prosecution of that trade.

When the propositions of this Bill were discussed in Parliament, prior to its being referred to this Committee, several objections were presented by the gentleman who so ably opposed it. I will notice these in detail, with a view of satisfying the Committee as to the amount of reliance to be placed upon them. It was stated by the hon. gentleman, the member for the County of St. John, Mr. Burpee, that no evidence had been adduced in support of the position that heavy deck-loads involved loss of life, and it was claimed by that hon. gentleman that the class of vessels which carried on the trade with the West Indies was built expressly for that trade and it was expected in their construction that they should be fitted for carrying deck-loads and that they were unlike the ships which carried on the St. Lawrence transatlantic trade, many of which were old, rotten and condemned vessels.

Now, in reply let me say that I think the hon. gentleman has not given the subject that attention, nor perhaps had at his command the means of information which I have endeavoured to secure and which would have enabled him to judge with the same accuracy.

Let me read for the information of the Committee, the summary of casualties to vessels sailing from St John, N B., to the West Indies, caused by deck-loads during the past few years, and I may say that I do not pretend that these are all the casualties that have occurred, nor that they are even a very considerable proportion of them, as I did not anticipate so much opposition to this measure which, in my opinion, is so liberal to the shipping interests, and I am, therefore, not so well fortified by the facts as I might otherwise have been, but Sir, the list, defective as it is, is an appalling one. By this it will be seen that that gentleman is in error when he alleges "that comparatively few lives have been lost in the trade and that the percentage of loss of life in the West India deck-load business is as small as that in any other trade conducted on land."

SUMMARY of casualties to vessels, occasioned by deck-loads during the past few years, while sailing from St. John, N. B., to the West Indies.

1. Brigantine EVERGREEN; waterlogged, deck-load carried away, vessel condemned.
2. Bark MINNIE: *one man* washed off deck-load and *lost*.
3. Brigantine ACTIVE; lost deck-load and otherwise damaged.
4. Brigantine MOHAWK; hove on beam ends, righted on throwing over deck cargo.
5. Brigantine OSPREY; lost part deck-load; *a man* named John Alcocks wash overboard and *drowned*.
5. Brigantine G. A. COONAN; *a seaman* lost of deck-load.

6. Bark EDWARD CECIL; thrown on beam-ends, waterlogged and abandoned. *Carpenter washed overboard.* Rest of crew exhausted pumping.
7. Brigantine FAWN; deck-load lost. Crew lived on top of house till the vessel reached Nassau full of water.
9. Brigantine DELANO; put into Norfolk full of water and sold.
10. Brigantine LET HER B; Total wreck on Pacific reef.
11. Brigantine ELLA; heavy deck-load shifting, had to put into port.
12. Brigantine MARINO; leaking, deck-load thrown overboard.
13. Schooner UNEXPECTED; waterlogged.
14. Brigantine MARY GIVAN; deck-load lost, leaking.
15. Brigantine SOUTHERN CROSS; stranded with heavy deck-load. Waterlogged and lost deck-load, water casks, &c. Crew 9 days on deck starving. Killed ship's dog. Rescued.
16. Schooner ALATIA; picked up derelict. *Crew all lost.* Enormous deck-load washed off, taking crew with it.
17. Brig BIRDIE; *never heard of.*
18. Brigantine MARY KELLY; having heavy deck-load, became waterlogged. Crew rescued by passing vessel.
19. Schooner NANTA; waterlogged, abandoned. Crew landed.
20. Schooner AMBRO; unmanageable through heavy deck-load. Total loss.

21. Bark IDA E; deck-load lost. Crew's lives imperilled. Captain attributes disaster to excessive deck cargo. \$9,000 to repair.
22. Schooner MINNIE; heavy deck-load. *All lost.* Never heard of.
23. Schooner CARRIE DOUGLAS; waterlogged and unmanageable. Repairs cost over \$4,000.
24. Brigantine BESSIE; unmanageable and driven on rocks. *Captain* washed overboard and *drowned*, crew barely escaping with their lives.
25. Brigantine JOHN LEWIE; heavy deck-load washed away. Crew had a narrow escape.
26. Brigantine MARTHA; drifted ashore derelict. Part of deck-load gone, which was unreasonably large. *Crew* been evidently washed overboard and had *perished*.
27. Brigantine PHOEBE ELLEN; encumbered with heavy deck-load which had frozen. Crew unable to relieve the vessel. *Captain and two or three of the hands perished.*
28. Schooner CHARLES A. BOVEY; heavy deck-load of shooks. Sprung a leak. Two men died from over-exertion and exposure in keeping vessel from sinking. Rest of crew completely worn out. Towed into port, shipped new crew, proceeded on voyage. Result not yet known.
29. Brig SCUD; high deck-load. Became total wreck.
30. Brig VICTORIA; deck-load three feet higher than main rail. Waterlogged. Crew rescued. Over-lading cause of disaster.
31. Schooner BESSIE BLACK; high deck-load. Part of it lost carrying *a man* with it who was *drowned*.

As to the difference in the character of the vessels engaged in the West India and transatlantic trade from the Bay of Fundy, I freely admit there is something in what the hon. gentleman states, but, under any circumstances, and admitting his premises, there still stands before me the list of casualties I have just read, which applied not to the St. Lawrence trade, but to that of the West Indies, from the Bay of Fundy. But he has asked greater latitude and exemption than was claimed by the Delegates who represented the Board of trade of his city. The Delegates of that Board attended the Conference of the Dominion Board of Trade at Ottawa, and when stating their objections to the deck-load law, contended not against the limitation on the trans-atlantic deck-load law, but asked only to have their West India and American Coasting trade excepted, and they then contended not against the principle of the deck-load law, as is now done, but claimed that until a similar law was adopted in the United States, the trade from their ports was placed at a disadvantage, and, therefore, should not be interfered with. Now, hon. gentlemen ask that the passage of the Bill may be postponed, and contend that there is no reason why any prohibition should be placed upon the trade of the Port of St. John, because, as they allege, the vessels are of a different class from the St. Lawrence vessels. It may be that the gentlemen are right in their views in relation to the stable character of the vessels of New Brunswick and Nova Scotia, and I fully endorse the high character given them—but that does not alter the fact that the experience of years has shown, that accidents innumerable have occurred in other ports besides those of the St. Lawrence, arising from the carrying of deck-loads, and that even when vessels are strong and seaworthy, an excessive deckload is dangerous. And it must be recognized that although the position of merchants may be affected, [a positive evil like that I

have described in the West India trade having been so conclusively proved as I have proved it to exist], we cannot permit any consideration to stand in the way of a measure for the security of life, and for lessening the number of accidents. In other words, the first duty of Parliament in this question should be to secure the life and safety of the seamen, and then to consider questions of trade.

That very many of the ships trading from the St. Lawrence defective, aged, and unfitted for the business, have deck-loads put upon them, simply aggravates the evil, and is an additional reason why the Act should pass, but is no argument why St. John trade with the West Indies should be exempted. I presume it will not be disputed, after the evidence which I have adduced, that serious casualties do occur from overloading.

I would remind the Hon. gentleman from St. John that, in going beyond what the Board of Trade asked in January last, and that in now asking this Committee to reject that portion of the law referred to affecting the trade of St. John, on the broad ground that no necessity exists for any deck-load law from that port, I believe he scarcely represents the general sentiment even of his own City, and I would beg to say, when he tells this Committee that there is no public sentiment calling for such a measure, and that no such measure is necessary, that I think the hon. gentleman is wrong. I have already produced ample evidence to show the necessity for the measure, and I now assert that there is a public sentiment loudly demanding some security against the enormous loss of life which has arisen in this trade. One of the leading, if not the foremost of Marine Agents for New Brunswick, submitted, in March last, an able paper, addressed to myself, upon the subject of the trade of St. John in connection with the deck-load question, which, with the permission of the Committee, I will read.

DECK LOADS.

To the Hon. PETER MITCHELL,

Minister of Marine and Fisheries,

OTTAWA.

SIR,—

At a recent meeting of the Saint John Board of Trade, held in this city, the Delegates who had just returned from the Third Annual Meeting of the Dominion Board of Trade, held at Ottawa on the 16th and 17th of January, ultimo, reported among other matters as follows :

“That the next resolution your Delegates felt
“ called upon to take an active part in, was subject
“ Nineteen. The propriety of prohibiting by Statute
“ the carrying of Deck Loads after a certain date,
“ which was, in fact, the re-enacting of the Deck
“ Load laws of years ago, and while the same might
“ apply with equal fairness to ourselves and foreign-
“ ers in the carrying trade to Europe, it might
“ place us on unequal terms with the Carriers of the
“ United States, with whom we are in continual
“ competition in the Coasting Trade. The trade to
“ the West Indies and South America ; and upon the
“ the case being fully explained to the Board, the
“ mover the Chairman of the Board, MR. FRYE,
“ confined his resolution as follows : That this Board
“ strongly urges upon the Government of the Domin-
“ ion, the necessity of immediately putting a stop by
“ Legislation, to the purpose of carrying Deck Loads
“ between Canada and Europe after September and
“ before the first of May in each year, as being
“ destructive to human life, and materially increases
the cost of Insurance. Carried.”

Subsequently the following Papers were read
by the Secretary of the Board :—

I have the honor to enclose herewith Copy of Despatch with enclosures from the Secretary of State for the Colonies, which has been referred by the Hon. Privy Council to this Department, in reference to the number of casualties occurring to vessels conveying Deck Loads of Timber and Shooks, between North American Ports and the West Indies ; and I am to request that you be kind enough to submit it to the Board of Trade for their information, and at the same time inform that body that this Department will be glad to be favoured with their views on this important subject.

Sir,

Your most obedient servant,

Deputy of Minister of Marine, &c.

A. C. FAIRWEATHER, ESQ.,
Secretary Board of Trade,
St. John, N. B.

THE SECRETARY OF STATE FOR THE COLONIES TO
THE GOVERNOR GENERAL.

Copy—Canada No. 108, DOWNING STREET,
7th May, 1872.

MY LORD,

I have the honor to transmit to your Lordship, for communication to your Government, a Copy of a Letter from the Board of Trade, enclosing Copy of

a Despatch from H. M.'s Consul at Havana, calling attention to the number of casualties occurring to vessels conveying Deck Loads of Timber and Shooks between North American Ports and the West Indies.

I have, &c.,

(Signed), KIMBERLEY.

Governor General,

THE RT. HON. LORD LISGAR,

G. C. B., G. C. M. G., &c., &c., &c.

MR. GRAY TO THE UNDER SECRETARY OF STATE
COLONIAL OFFICE.

Copy—M. 4758 BOARD OF TRADE,
WHITEHALL GARDENS, 3rd May, 1872.

CASUALTIES.

SIR,

I am directed by the Board of Trade to transmit to you for the information of the Secretary of State for the Colonies, the accompanying Copy of a Despatch from H. M.'s Consul General at Havana, calling attention to the number of casualties occurring to vessels conveying Deck Loads of Timber and Shooks between North American Ports and the West Indies.

The Board of Trade desires me to suggest for Lord Kimberley's consideration, whether, as it appeared that a considerable portion of the Trade is carried on from the British Provinces, especially between St. John, New Brunswick and Cuba, it would

not be desirable to bring the contents of this Despatch under the notice of the Authorities of the Dominion of Canada.

I have, &c.,

(Signed)

T. GRAY.

The Under Secretary of State,
Colonial Office.

MR. CONSUL GENERAL DUNLOP, TO THE SECRETARY
MARINE DEPT. BOARD OF TRADE.

Copy,—M. 4748.

HAVANA, 3rd April, 1872.

SIR,

I think it my duty to call the attention of the Board of Trade, to the number of casualties occurring from the practice of carrying Deck Loads of Timber and Shooks between North American Ports and the West Indies.

A very considerable Trade is now carried on from the British Provinces, especially between St. John, N. B., and Cuba ; and scarcely a vessel arrives here without losing a portion of her Cargo or experiencing damage on the Voyage, owing to their carrying heavy Deck Loads of Planks or of Shooks.

I understand that most of their cargoes are insured in the U. S., and that the premium charged on Deck Loads is high, say from 10 to 15 per cent., but from the almost constant losses which are reported, it occurs to me that there is something wrong in the practice, and that many vessels are overloaded, and

consequently not only run an extraordinary risk as regards both ship and cargo, but endanger the lives on board.

I am not aware whether such vessels, when laden and ready for sea, are Inspected by Port Wardens or by the Underwriters Agents, but if such is not the case, it appears to me very necessary, and that there should be some Stringent Regulation on the subject of Deck Loads generally.

(Signed) A. GRAHAM DUNLOP.
 CONSUL GENERAL, (CUBA.)

The Secretary MARINE DEPT.,
Board Trade, London.

The writer was present at the meeting in St. John above referred to, and complimented its Delegates for the general ability they displayed as Representatives of this Board. He expressed full approval of their suggestion in reference to "*Deck Loads*" of *Vessels Coasting* between ports in New Brunswick and ports in the United States, stating generally that the class of tonnage engaged in the carrying trade between ports in the Lower Provinces and ports in the United States north of Hatteras, was particularly adapted for bearing the burthen of heavy Deck Loads, being fore-and-aft Schooners specially constructed for such trade. They are mostly shallow vessels, with great breadth of beam, their dimensions averaging a depth or hold of from seven to eight feet, with a breadth of beam of from twenty-seven to thirty feet, fore-and-aft rigged, and calculated to carry, in many cases, much over *one-third* of the whole cargo upon deck, and that while other class of vessels are occasionally employed in this coasting trade, that it would not, in his opinion, be expedient to make any regulations with reference to

this particular trade, nor with that to Ports in South America at present, the description of cargo taken to the latter country being, as a rule, long dry lumber of superior quality which makes a buoyant cargo. The voyage, too, being much longer than to the West Indies, the Deck Loads as a rule are kept within the bounds of safety. As to the coasting trade, there are many harbors on the way, and vessels put in for refuge at the approach of a storm, thus escaping the dangers of deep-sea voyages.

From the foregoing and other circumstances, the writer argued that it was obvious the true policy should be to hold legislation upon these matters in abeyance until the same had been the subject of a joint and uniform arrangement between the United States and Canada. But with regard to the Shook and Lumber Trade between Ports in the Lower Provinces, especially the Port of St. John, and the West Indies; he added, that in his opinion, derived from observation and experience in the matter, the official statement made by the Consul at Havana, was in perfect accord with the facts.

On discussion, the Vice-Chairman admitted the correctness of the representations made by Consul General Dunlop. The St. John Board of Trade, however, seemed averse to taking any decided action being hampered, to a certain extent, by individual interests, which plead the competition of foreign tonnage as the ostensible reason of delay, but action is really deferred by members of the Board, who are Shippers or Ship-owners wishing to be free and unrestricted to secure Deck Freights as heretofore.

It is therefore absolutely necessary for the preservation of Life and safety of Property, that the Government of Canada proceed in the matter, for the following reasons:

1st. AS TO THE BUSINESS.—The trade between

Ports in the Lower Provinces of Canada and the West Indies is rapidly increasing ; in fact the Shook and Lumber supply of those Islands is mainly procured from these Provinces. The description of Lumber manufactured in the United States being very valuable is almost entirely for other markets, as the quality required in the West Indies, although merchantable, is not No. 1 ; the boards being chiefly what is called shippers, and the poorer kinds of Lumber stock are worked up into Shooks. The material for the manufacture of such Boards and Shooks is more readily obtained in the Provinces, and the cost of manufacture much cheaper, for Shooks are frequently sold at St. John, N. B., to merchants in Portland and Boston for re-shipment from those Ports. These Provinces have therefore enjoyed the monopoly of exporting Lumber to the West Indies, so that the minute of the Board, as follows, might very properly have been made more definite :
 “ That the Board having had before it the letter
 “ from the Deputy of the Minister of Marine and
 “ Fisheries, on the subject of Deck Loads, desires to
 “ thank that Department for communicating to the
 “ Board a matter of so much importance to the trade
 “ of this port. The Board admits that the evils
 “ complained of exist to a great extent, but as the
 “ port of St. John has to compete with ports in the
 “ United States, in the Lumber Trade, and would be
 “ placed under a disadvantage by having restrictions
 “ placed on its shippers, not applicable to those of
 “ rival ports, the Board feels that it cannot recom-
 “ mend a change unless similar action be taken in
 “ rival ports.”

2nd. AS TO THE CLASS OF VESSELS.—The class of Vessels employed in this trade are chiefly small Barks, Brigs, or Brigantines and Schooners, having a depth of hold of ten feet and upwards, so as to stow three tiers of Hhds. of Molasses on the return passage. These vessels are entirely different

from Coasters, being of deep and comparatively narrow model, with the requisite dimensions for carrying dead weight or under Deck Cargoes.

AMONG THE ABUSES OF THE DECK LOAD SYSTEM ARE—That owners or charterers now pile on Deck Loads without let or hindrance, thus increasing the risks run by vessel and crew. The cargoes are wet and icy, sugar box Shooks or unseasoned Lumber, and if such cargoes are piled above the rail, as is always done, more or less, they are more trying upon the vessel than even a full cargo of dead weight, for the heavy Deck Load destroys the trim of the vessel and interferes with her proper handling, the crew being deprived of the protection of bulwarks, &c.; then when stormy weather is experienced, the excessive weight on deck makes the vessel tender, opens her waterways, seams and stanchions, strains the topsides or throws the vessel on her beam ends when she is apt to become waterlogged, as the water running along the bilge while the vessel is hove down cannot be reached by the pumps, (there being no bilge pumps in this class of vessel), thus the overloading is the primary cause of many disasters.

The loss of property involved in this state of thing would be a sufficient warrant for restrictive legislation; but when the loss of life occasioned thereby is considered, it is confidently hoped that the government will feel impelled to pass a measure which will in future effectually prevent the overloading of vessels trading to the West Indies, and which will protect our seamen from dangers imposed on them, other than the unavoidable perils of the seas.

AS TO THE LOSS OF LIFE.—The following are a few of the cases of disasters, directly or indirectly caused by excessive Deck Cargoes, in which all or a portion of the crew lost their lives.

The *Brigt, Bessie*, of St. John, N. B., Tobin, master, sailed from this Port in February, 1868, for Cuba. The Vessel was overladen to such an extent, that she became waterlogged and unmanageable shortly after leaving Port, she was rendered unseaworthy by having on board a greater number of Shooks than she could possibly carry in stormy weather and was compelled to put back; but being in such an unmanageable state, she could not make the harbour in safety, but was driven at the mercy of the winds and waves and forced on the rocks at Courtney Bay. Capt. Tobin was washed overboard and drowned before the vessel stranded, and the others barely escaped with their lives. There was a great outcry raised at the time through the press, and a strong feeling in the community for preventive legislation; for a short season the Deck Loads were more moderate, but now the practice is just as dangerous as before, and until a government enactment is passed, the like is liable to happen at any time during the shipping season.

The *Brigt. John Lewis*, sailed hence on 10th November, 1869, for Havana; she was boarded by a sea that washed off the Deck Load which from its weight had forced the deck open, the crew narrowly escaped.

The *Brigt. Martha*, of St. John, N. B., sailed hence for Cuba on 11th January, 1870, and drifted ashore derelict a few days later at Meteghan, N. S., with part of Deck Load gone and a signal of distress flying; she too had a most unreasonable Deck Load, and judging from the appearance of the vessel, it was evident that it was the main cause of the disaster which followed, and that the crew had been washed off the Deck Load; they all perished.

The *Brigt. Phæbe Ellen*, cleared on the 5th January of the following year for Havana, and meeting a heavy gale almost immediately after leaving port,

sprung a leak, became unmanageable, being encumbered by a very heavy Deck Load which the crew tried to throw overboard and relieve the vessel; but it was frozen fast together and could not be removed, the vessel was driven across the bay, going ashore near Digby, N. S.; Captain Dill and two or three of the hands perished.

Such sad cases are recurring again and again, and call earnestly for immediate action. The preservation of life is of paramount importance; and the safe carriage of property is also a consideration. I would therefore suggest THAT A STATUTE BE ENACTED REGULATING THE CARRIAGE OF DECK LOADS FROM PORTS AND PLACES IN CANADA TO THE WEST INDIES, as follows:—

1st. *That all single decked vessels be prohibited from loading or carrying Deck Cargoes above the Main Rail of the vessel.*

2d. *That all vessels with Spar Decks be invariably restricted from carrying any cargo whatever on their Spar Deck.*

3rd. *That a thoroughly competent and reliable Inspector be appointed at each port of clearance to survey vessels while loading, and see that the cargoes are properly stowed, that the Government regulations as to Deck Loads are faithfully observed and carried out, and that the vessels are in a seaworthy condition at their departure,—his certificate to be produced on clearing the vessel at the Custom House.*

[NOTE.—Many of the vessels engaged in the West India Trade are provided with light Spar Decks, that is to say, from ten to twelve feet depth of hold, and from four to five feet between decks. Such vessels should never attempt to carry cargo upon the Spar Deck, but they frequently do so, although it is simply carrying a Deck Load on top of a Deck Load, and it is not surprising that the most serious consequences ensue.]

Many years ago it was found that vessels sailing from ports in Great Britain, were frequently over-

aden with iron, and foundered in consequence. On the matter being brought to the notice of the Government, a regulation was at once made limiting the quantity of iron to one-third in excess of the vessel's registered tonnage, and now iron is carried with comparative safety.

The same remarks apply to grain, which was formerly shipped from United States ports in bulk, to Europe, but many vessels were lost or damaged in crossing the Atlantic, by reason of the cargo shifting; and notwithstanding the United States were in competition with rival Baltic ports, the American authorities promptly acted in the matter, making the loading of grain subject to Inspection, and now one-third of the cargo must be put in bags, and the vessel fitted with shifting boards, according to law.

The writer is not speaking from an Insurance standpoint, for he has long since satisfied himself that risks of this character, viz.: endangered by heavy Deck Loads are unsafe, undesirable and unremunerative to Underwriters; but he is induced to submit the result of his observations to the Government, in hopes that some such statute as above referred to will be made law, for the preservation of the lives of the seamen, sailing from Canadian Ports, and for the welfare of those depending upon them; as well as for the protection of all who engage in the West India Trade of the Dominion and are interested in its Maritime prosperity.

I have the honor to be,

Yours respectfully,

ROBERT MARSHALL,

Marine Insurance Agent and Attorney for New Brunswick Lloyds Association of Marine Underwriters.

From this it will be seen that Mr. Marshall after stating the position very fully, and arguing it very ably, asks that a statute very similar to that contained in the Bill before the Committee, be enacted, regulating the trade between Canada and the West Indies, and further, that an agent be appointed—"and Government regulations made"—to see the measure carried out at the customs office before the clearance of vessels. Now, it will be observed that the Bill contains no provision for inspection. The opponents of the Bill, however, stated that they would rather go for a measure which provided for the appointment of Inspectors, than for fixing a limit to the Deck load. To this I answered then, as I answer now, that I considered in the interests of trade that it was better to place fixed limits to the Deck loads, which would at the same time promote safety to life, than to have at each port an official as inspector, who if he chose to act in an arbitrary manner might harrass and annoy the trade. Again, if these officers were appointed somebody would have to pay them, but if the Hon. gentleman asks for the appointment of a staff of officers, I can see no objection to inserting a clause to that effect in the Bill now in the hands of the Committee. Do not let us shut our eyes to the truth, but rather look the facts in the face, and if the abuses of the trade make the appointment of these officers necessary, the trade must stand the cost as well as the inconvenience that may result therefrom, and we must have them; but it is the abuse of the system that has brought about the necessity for legislation, and for my own part, in the interests of the trade, I consider that the Bill under consideration is far more favorable than the principle of inspection, for which my hon. friend contends, but should he prefer assuming the responsibility of urging inspection for the trade, to meet abuses which he claims that this Bill will not cover, I have prepared a section which provides for inspection at such ports as the Gov-

ernment may proclaim, and which would include the Bay of Fundy ports. I now place it before the Committee, and am prepared to engraft it in the Bill to meet the trade views represented by my hon. friend should he assent to it; but in thus meeting his views I place upon him the responsibility of putting what I consider to be an additional restriction on the trade of his port.

[Here the hon. gentleman read the provisions of a clause providing for the appointment of an inspector or inspectors for such proclaimed port, whose duty it should be to examine during the season, the loading and equipment of such vessels as are engaged in the trade, and without his certificate the officer of Customs was prohibited from clearing the vessel.]

Mr. Burpee was here understood to say that he would not take the responsibility of accepting the principle of Inspection, and as several other gentlemen expressed a strong feeling of opposition to it, but were at the same time advocating the measure as it stood, the Hon. Minister withdrew it, and stated that while he did not urge to have it engrafted in the Bill, he felt it to be his duty, when the gentlemen from St. John put forward such an alternative, to give them the option of accepting or rejecting it. He would not press its adoption because he did not believe it was the most desirable course, nor did he believe it was one calculated to satisfy the trade, nor one that offered the best protection to life, though it may be that in the future, Inspection may be necessary arising out of abuses in other than the Lumber Trade. The paragraph was then withdrawn.

The Hon. Minister then proceeded to observe that it has been further objected against the Bill that it is not comprehensive enough, and the Hon. gentleman to whom I have referred has stated that inasmuch as the subject having been brought under the

notice of the Imperial Parliament by Mr. Plimsol, a royal commissioner having been appointed to examine into the abuses not only of the Deck Load, but of other questions relating to shipping, this measure should not now be passed, but should be permitted to stand over until we see the result arrived at by that commissioner, or that we ourselves should appoint a committee to act with that commission with a view to obtain information and consider the question.

The Hon. Minister stated in reply that the cases referred to in England and those of our own trade were entirely different. The question of Deck Loads formed a very small branch of the list of grievances of which Mr. Plimsol complained, and which has been particularly under the consideration of the British House of Commons, and that in the appointment of the commission referred to, it is clear the question was far beyond that contained in this Bill. That no very serious complaints were made against ships owned in our country; that they are generally assumed to be of a good class and according to the statements of my Hon. friend, the trade from Quebec and other ports of Old Canada is mainly carried on in a very different class of vessels from those sailing from his own port, and the same objection did not apply to the St. John trade. Looking at the mass of evidence I have submitted to this committee, let me ask, is it necessary in order to arrive at a conclusion as to the propriety of restricting Deck Loads, that a commission should be issued? I do not think so, but if he desires to go further and place a supervision on all ships and cargoes, and wishes a commission to examine evidence for that purpose, the passage of this Bill will not prevent it, and in the meantime a crying evil will be remedied if the Bill passes. Let me say to my Hon. friend that I thought it due to him and to the important interests he represents thus to refer to his views in relation to

the Commission, previous to the passing of this measure, in order that it might not operate against, or interfere with the inquiry which my Hon. friend professes an anxiety to obtain. But if his suggestion is carried and if this growing evil is permitted to continue for another year, delay may then perhaps be asked for by some one else on some other ground and with just as much reason.

Whether public opinion demands the total prohibition of Deck Loads as some members of the committee have contended, or whether my Hon. friend in resisting the limitation represents public opinion in relation to Deck Loads, I think there can scarcely be a doubt that some measure is required. Let him look at the report of Boards of Trade and he will find that year after year they have asked for prohibition of all Deck Loads. Let him look at the resolution of his own Board of Trade and he will find the importance of the principle recognized so far as the trans-Atlantic Trade was concerned and he should not hesitate as to the inexpediency of further delay.

I would now, with the permission of the Committee, read two despatches, respectively, dated 27th February and 27th March, 1873, from Earl Kimberley to His Excellency the Governor General, upon the same subject. The former of these covers a list of casualties and a return of timber-laden vessels reported to the Board of Trade up to the 7th January, 1873, as having been lost or damaged during the month of November, 1872.

[Here the Hon. Minister read the Despatches and the list of casualties appended hereto.]

No. 57.

DOWNING STREET,

27th February, 1873.

MY LORD,

I have the honor to transmit to you for communication to your Government, a copy of a letter from the Board of Trade, with enclosures relative to the casualties which have recently happened to vessels in the American timber trade, owing, as is alleged, to the carrying of Deck Loads during the winter months.

I shall be glad to learn the views of your Ministers, and to receive any suggestions which their knowledge of local circumstances may enable them to offer upon this important subject.

They will, I feel sure, gladly assist in giving effect to any practical measure which may be devised to lessen the number of casualties of this description.

You will be so good as to return to me Mr. Smith's Report, dated in December, 1860, which is forwarded to you in original.

I have, &c.,

(Signed), KIMBERLEY.

Governor General,

The Right Honorable,

The Earl of Dufferin,

K. P., K. C. B., &c., &c., &c.

MR. FARRER TO THE UNDER SECRETARY OF STATE,
COLONIAL OFFICE.

Copy, BOARD OF TRADE,
WHITEHALL GARDENS, 14th FEB., 1873.

DECK LOADS IN TIMBER SHIPS.

SIR,

The attention of the Board of Trade has been called to the dangers and losses which have arisen from the Deck Loads of timber ships in the American trade during the winter months.

The Secretary of State is probably aware that before the year 1862 there were enactments in force (16 & 17 Vic., Cap. 107, sections 170, 171 and 172) prohibiting the carriage of Deck Loads in timber ships clearing from the British North American Colonies to the United Kingdom, from the First of September to the First of May.

It was possible to some extent, at any rate, to enforce these enactments before the repeal of the Navigation Laws, because a British ship, with a British cargo, clearing from the Colonies for the United Kingdom, had an advantage over a Foreign ship, or over a Foreign ship, with a Foreign cargo, clearing from the United States, consequently the trade was confined to British ships engaged in the Colonial Trade, carrying Colonial cargoes, and cleared directly from the Colonies to the United Kingdom, and such ships could be stopped in the Colony if they evaded the Law. But after the repeal of the Navigation Laws, there was nothing to prevent a Foreign ship, *i. e.*, an American ship, carry-

ing on the timber trade between the Colonies and the United Kingdom, or to prevent a British ship from carrying United States timber to the United Kingdom, or clearing to the Colonies from a Foreign Port, and thence changing her destination to the United Kingdom. As a matter of fact, ships used, subsequently to the repeal of the Navigation Laws, to clear from the United States side of the River which separates New Brunswick from Maine, in order to evade the British Deck Loading Law.

Experience had also shown how difficult, if not impossible, it was to enforce the Law by any proceedings on this side of the Atlantic.

Under these circumstances, the enactments above referred to were repealed by the Merchant Shipping Amendment Acts, 1862, 25 and 26 Vic., c. 63, s. 2.

It is obvious, under the above circumstances, that any effectual legislation on this subject must deal with ships at their port of departure in America, and that it must deal with ships clearing from the United States Ports, as well as with ships clearing from Ports in the British Colonies. It is also clear that the evils in question affect ships bound from those countries to countries other than the United Kingdom, and that to be complete, legislation ought to deal with all ships carrying timber across the Atlantic, whatever their destination. It is further clear that Laws of this description cannot now be passed in this country, either for Canada or for the United States, and that they ought to be framed in concert, on a common basis by the Government of Canada and the United States.

Under these circumstances, I am to request you to move the Secretary of State to call the attention of the Government of Canada to this subject, and to suggest to that Government the expediency of enquiring whether any measures can be devised for

preventing such frightful losses of life and property as have recently occurred.

I enclose a list made out from the Returns of the Board of Trade of Casualties which occurred during the last two months of last year (1872) in this Trade.

I also enclose copy of a letter dated 11th December 1860, from Mr William Smith, then Controller of Customs and Navigation of the Port of St. John, now the Deputy Minister of Marine and Fisheries for the Dominion of Canada, containing a complete statement conceding the operation of the Law as it then stood.

A copy of this letter has been sent to the Foreign Office.

I have, &c.,

T. H. FARRER

The Under Secretary of State,
Colonial Office.

By this list above referred to and annexed hereto, it will be seen that out of 72 Vessels lost and damaged, 29 of them were totally lost and 43 damaged ; that there were 67 lives lost, that 48 of the vessels had deck-loads, 11 of them were without deck-loads, and 13, in which it was not known whether they had deck-loads or not. The remarks of the forwarding officer refer to the nature and the cause of the casualty, and will speak for themselves.

RETURN of TIMBER LADEN VESSELS reported to the Board of Trade up to the 5th January, 1873, as having been lost or damaged during the months of November and December, 1872.

* 1 of own crew and 4 belonging to wrecked vessel "Pride of the Ocean" of Shields.

SUMMARY.

Number of vessels totally lost.	Number of vessels partially damaged.	Total number of vessels lost and damaged.	Average Age.	Average Tonnage.	Number of Crew.	Number of Lives Lost.	With Deck Load.	Without Deck Load.	Unknown: Whether with or without Deck Load.
29	43	72	16 17-30	749 1-6	1291	67	48	11	11

I think this ought to convince hon. gentleman that there is a great necessity for some kind of legislation, to put a stop to this crying evil.

The other despatch to which I referred, and which was addressed to the Governor General of Canada, is dated the 27th March, encloses Mr. Marshall's letter, which his Lordship had received, and Earl Kimberly goes on to state "that this matter, as your Lordship is aware, is one attracting considerable attention in this country and I trust it will receive the early consideration of your Ministers."

The gentleman opposing this measure complains that the limitation in the West India trade to $4\frac{1}{2}$ feet, will very seriously affect that trade. Let me, for his information, read this return of the shipments from St. John to the West Indies for the months of February and March last, and the hon. gentleman will perceive that all the deck-loads, as well to the United States as to the West Indies, average only $5\frac{1}{2}$ feet :—

The restrictions as to height of Deck load would tell sorest on a class of Woodboat Schooners, (as they are called) which are built to carry from 7 to 9 feet on deck, the largest part of their cargo. There are not, however, a great many of such.

CUSTOM HOUSE,

St. John, N. B., 1st Feby., 1873.

SIR,

I have your note of the 21st ult., respecting the height of Deck Loads carried by vessels of 100, 200, 300 and 400 tons respectively to Cuba or the W. I. and Coastwise, and for fall and winter. From the inquiries I have made, I find it impossible to classify them according to tonnage. The largest vessels do not carry the highest Deck loads. I have noted a few as follows, viz :

Feet inches.

Schr. Nelson, 148 Tons, Shooks to Cuba, 6 3 high

“ Robert Fulton, 114 Tons, $3\frac{1}{2}$ ft. to W. I., 8 ft.
coastwise

“ Iris, 114 Tons, 7 ft. Boards to Portland.

“ Florence, 158 Tons, 6 ft. Shooks to Cuba,
coastwise 8 ft. high.

The larger vessels as a rule do not carry such high deck loads as the smaller ones. Then one master will take a higher deck load than another ; one owner will force more on than another, or the cargo may be wet and heavy or light and dry. The extremes are from 3 feet to 9 feet, and I think the Woodboat Schooners carry the highest. If you wish me to follow the matter up any farther, I shall do so, and keep a record of outward vessels deck loads. I find that I require to get my information in the most casual manner, as the masters of vessels in some instances fight shy.

Yours &c.,

JAMES BARBER.

Customs Officer.

WM. SMITH, Esq.,

Deputy of Marine and Fisheries, Ottawa.

SHIPMENTS from St. John, N. B., during the month of March, 1873, with height of Deck Loads.

Rig.	Name.	Reg. Tons.	Port of Registry.	Nature of Cargo.	Where Bound	Feet.	Ins.
Schooner...	Maud.....	398	New York.....	Shooks	To Cuba, 7 tiers.	3	2
do	Don Pedro.....	67	St. John.....	Boards	To Boston.	6	
Brigantine.	Monsifa.....	254	do	Boards	To Cuba.		
Ship.....	Memac.....	256	do	Boards	To Montevideo.	4	2
Schooner...	Lightning.....	1637	do	Deals.	To Liverpool, only a few tiers		
do	Volunteer.....	101	Windsor.....	Boards	To Boston.	6	
do	Ella Clifton.....	103	St. John.....	Boards	To Boston, about.	5	
do	Annie Martha.....	125	do	Boards	To New York	5	
Barque	Lottie Stewart.....	742	do	Deals.	To Penarth Roads.	5	
Ship.....	Calcutta.....	1372	Glasgow.....	Boards, &c	To Liverpool.	3	
Schooner...	Charles A. Bovey.....	172	St. John.....	Shooks	To Cuba.		
Brigantine...	Josie A. Devereaux.....	391	Boston.....	Shooks	To Cuba	1	6
Schooner...	Ernest.....	79	St. John.....	Lumber	To Boston	7	
do	Mocking Bird.....	121	do	Laths.	To Vineyard Haven.	7	
do	William Wilson.....	266	United States	Shooks	To Cuba.	6	
do	Gipsey.....	72	St. John.....	Boards.	To Boston.	4	
do	Howard Holder.....	93	do	Shooks.	To Portland.	6	
Brigantine...	Fidella.....	331	Bangor.....	Shooks.	To Cuba.		
Schooner...	Annie W.....	81	St. John.....	Shooks.	No Deck Load		
do	J B Harris.....	81	do	Boards.	To Portland.	6	
do	Gold Hunter.....	104	do	Boards	To Boston.	6	
do	Lallah Roukh.....	495	do	Boards	To Boston.	7	
Barque.....	E. G. Sawyer.....	149	United States.	Shooks	To Montevideo.		
Schooner...	Active.....	264	do	Shooks	To Cuba.	5	
do	Aita.....	164	St. John.....	Boards	To Cuba.	3	
do	Snow Bird.....	99	do	Boards	To Cuba.	5	
do	Ida.....	93	do	Laths.	To United States.	7	
do	M. R. W.....	127	do	Boards	To United States	6	
do	Eliza B. Beard.....	101	do	Laths	To United States.	6	
do	Arcilla.....	94	do	Laths	To Boston.	5	
do			do		To Boston.	9	

SHIPMENTS from St. John, N. B.—Continued.

Rig.	Name.	Reg. Tons.	Port of Registry.	Nature of Cargo.	Where Bound.	Feet.	Ins.
Schooner	Five Sisters.....	146	United States.....	Shooks.....	To Cuba, 15 tiers.....	7	6
do	America.....	86	Windsor.....	Boards.....	To Boston.....	5	6
do	Impudence.....	115	St. John.....	Boards.....	To Boston.....	4	6
do	J. W. Scott.....	109	do.....	Boards.....	To Cuba.....	7	6
do	Tempo.....	143	do.....	Boards.....	To Cuba.....	5	6
do	Militia.....	70	Parrsboro'.....	Boards.....	To Boston.....	3	6
do	Marcia Reynolds.....	293	United States.....	Shooks.....	To Cuba.....	7	6
do	L. and M. Knowles.....	177	do.....	Shooks.....	To Cuba.....	6	6
do	Adelia.....	114	St. John.....	Boards.....	To Newport.....	5	1-2

JAMES BARBER.

Customs, St. John, N. B., March 29th. 1873.

I send you as above a further List of Vessels with the height of Deck Load taken by each. Of course I get my information solely through the Masters with *one* exception. I think they are correct.

Eight Shooks in height will give 3 feet, a Shook is about $5\frac{1}{4}$ ins. ; 8 tiers would, therefore, be a little over 3 feet.

The average height of the above is a shade over 5 feet.

I have not made any inquiries amongst the ship-owners as yet, but will do so quietly very soon. [The masters of vessels as a rule will be very thankful for such a law as you propose. One master told me, if his owners would not force him to take more than 6 feet, he would be perfectly satisfied.]

I imagine from conversations I hear over the Counter, that both the Masters and Clerks are under the impression that some restriction is about to be put upon the reckless system of *piling* on Deck Loads.

[In making out the Wreck Returns, I have been satisfied all along, that heavy Deck loads have been one of the great causes of Loss and Disaster.]

I will continue making notes of the height of Deck loads.

JAS. BARBER.

WM. SMITH, ESQ.,

Deputy of the Minister of Marine.

It will thus be seen from the facts which have been adduced that not only is there an existing evil, but that public opinion demands its removal. Her Majesty's Government are fully alive to that fact as evidenced by the despatches which I have read ; my

colleagues and myself in the Government of Canada feel that prompt measures are imperatively demanded, and I have no doubt but that this Committee will recommend that Parliament sanction the passage of the Bill which I have introduced. Let me say to those who have opposed it, that they are not acting wisely if they have done so in the interest of the Trade, as I am satisfied that the great danger to be feared from their standpoint is the extreme in restriction and Inspection to which the present agitation in England will be carried in their desire to remedy the insecurity to life which the present system has developed. The probability is that there will be a rush from one extreme to the other, and this will only be intensified by opposition to it, as has been given to this measure. Our Trade and the shipping interest upon which our Trade largely depends, is of too great importance to our prosperity as a People to have it imperilled, and ranking as we do as a Maritime People fourth amongst the nations of the world, it is our duty and interest alike to see that no restriction of an unnecessary or burthen-some character should be placed upon our Tonnage that is not absolutely demanded in order to give additional security to life, and to protect a class of People who are from circumstances helpless to protect themselves. From this standpoint our Government have acted, and I feel assured that the sense of this Committee will sustain the views which I have presented.

Mr. Burpee (St. John, N. B.) said the bill was a very important one, so far as the interests of the Maritime Provinces were concerned, and it was one which would especially effect the trade of New Brunswick. The result of the discussion of the subject of deck loads in the English Parliament had been the appointment of a commission to investigate the whole matter with a view to future legislation. If the Canadian Parliament passed a deck load bill such as that proposed, it would restrict the

trade of the country, and allow foreigners to come in and take the trade from our own doors. A bill of this character should be reciprocal, and should apply to other countries as well as to Canada. He thought that if he had obtained statistics he would have been able to explain many of the facts brought forward in opposition to deck loads, and to have shown that many of the losses referred to were not owing to that cause. He contended that whilst vessels engaged in the Quebec timber trade were old worn-out vessels, the vessels sailing from New Brunswick were mostly new first class ships, and more safe with a deck-load than others without one. Respecting loss of life, he was in a position to say that within the last five years, in which period one thousand vessels had sailed from St. John, not more than ten lives were lost in those vessels owing to deck-loads. He moved an amendment to the effect that it was undesirable to pass Mr Mitchell's bill, and that a commission be appointed to enquire into the whole subject with a view to future legislation for better protection of life and property.

Mr. Young (Montreal) thought the statistics adduced by the Minister of Marine and Fisheries ought to be sufficient to satisfy every one that a change was absolutely necessary. Out of forty-nine vessels sailing last fall from the Gulf of St. Lawrence, there was evidence that thirty-six of them were lost at sea, involving a loss of four millions of dollars. Who paid for that loss? It was not the underwriters, who knew the risks and derived a profit out of their business. It was not the ship-owners, because they insured their vessels. It was the farmer, and everyone who exported a dollar's worth of produce, because the effect of those disasters was to add to the insurance of every article exported from the country. There was not a farmer or lumberman in Canada who did not pay towards that four millions of dollars. Sailors were obliged to go to sea, but every intelligent man would say

that deck-loaded ships were not proper to go to sea in. The statistics of the West India trade showed that the same cause which led to great losses in the Atlantic trade was in full operation in the West India trade also. All statistics pointed to deck-loads as the cause of great losses at sea, and his only objection to the Bill of Mr. Mitchell was that it did not go far enough, and prevent deck-loads altogether. He did not think Parliament should stand by and see this great annual loss of life and property without seeking to apply a remedy. With respect to the argument about waiting for similar legislation to take place in the United States, he submitted that in this new country we should do what is right, no matter what other countries do.

Mr. Doull (Pictou) thought that Parliament should defer taking action in this matter of deck-loads at the present time. The bill only provided against overloading vessels with deck-loads, but there was just as much necessity for legislation against overloading vessels with dead-weight cargoes under deck. The whole question should be considered by a commission before Parliament legislated.

With reference to deck-loads.

Mr. Young [Montreal] pointed out that an Act had been passed in regard to portwardens seeing to the proper loading of vessels.

Mr. Mackenzie asked for information as to what the commission would have to do, for if the statistics were reliable they could now form an opinion on the question. He thought that nothing but delay could be gained by appointing a commission.

Mr. Burpee thought much more information could be had from shipowners beyond what the committee at present possessed. The principal reason for appointing a commission was because a similar commission had been asked for in the United

States and granted in Great Britain. It should also be remembered that whereas the law would only affect Quebec and Montreal for a month or five weeks, it would affect New Brunswick ports during the whole period to which restriction in carrying deckloads applied.

Mr. Mackenzie said the commission appointed by the English Parliament was to inquire with regard to the construction rather than the loading of vessels.

Mr. Mitchell replied and submitted an additional clause for the proposed bill, for the appointing of inspectors, by the Governor in Council, for loading of ships, which clause he was prepared to incorporate in the bill, if desired.

Mr. Holton complimented the Minister of Marine and Fisheries for the manner in which he had submitted the matter to the Committee, remarking that Mr. Mitchell deserved well of the trade of the whole Dominion by reason of the great attention he had given to this very important subject. The information he had given to the Committee was of the most ample description, and he hoped the Committee would not render futile the efforts which had thus far been made in bringing about a better state of things in regard to what they all felt, with the evidence submitted to them, was a crying evil calling for redress at the hands of Parliament.

The amendment moved by Mr. Burpee was then put and lost.

The preamble was then adopted, and further consideration of the bill was postponed until the next meeting of the Committee.

On the suggestion of Mr. Young (Montreal) it

was agreed to print the statistics submitted by the Minister of Marine.

At the next sitting of the Committee the Bill was unanimously recommended to Parliament for adoption, and the report and evidence of Mr. Mitchell was ordered to be printed with it.

